

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Vagish LLC, *doing business as* Cambridge
Plaza Hotel; and Va Va Vagish LLC, *doing
business as* Legends Lounge,

Plaintiffs,

vs.

Seneca Specialty Insurance Company,

Defendant.

C/A No.: 3:13-cv-03161-TLW

**FOURTH AMENDED SCHEDULING
ORDER**

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court, the following schedule is established for this case. Discovery shall resume upon receipt of this Order.

1. Counsel shall file and serve affidavits of records custodian witnesses proposed to be presented by affidavit at trial no later than January 22, 2016. Objections to such affidavits must be made within fourteen (14) days after the service of the disclosure. (See Fed. R. Evid. 803(6), 902(11), or 902(12) and Local Civil Rule 16.02(D)(3)).
2. Discovery shall be completed no later than January 15, 2016. All discovery requests shall be served in time for the responses thereto to be served by this date. De bene esse depositions must be completed by the discovery deadline. **No motions relating to discovery shall be filed until counsel have consulted and attempted to resolve the matter as required by Local Civil Rule 7.02.**
3. All other motions, except those to complete discovery, those nonwaivable motions made pursuant to Fed. R. Civ. P. 12, and those relating to the admissibility of evidence at trial, shall be filed on or before January 29, 2016. (See Fed. R. Civ. P. 16(b)(2)). See below paragraph 8 for motions in limine deadline.
4. Mediation, pursuant to Local Civil Rules 16.04 – 16.12, shall be completed in this case on or before January 22, 2016.¹ **At least twenty-eight (28) days prior to the mediation deadline (by December 22, 2015), counsel for each party shall file and serve a statement certifying that counsel:**

¹ Chief Judge Wooten's Standing Order to Conduct Mediation, which sets forth additional mediation requirements applicable to the case, is available at www.scd.uscourts.gov.

1. Provided the party with Chief Judge Wooten's Standing Order to Conduct Mediation referenced in Footnote 1;
 2. Discussed the availability of mediation with the party; and
 3. Discussed the advisability and time of mediation with opposing counsel.²
(See Local Civil Rule 16.03).
5. No later than **February 15, 2016**, the parties shall file and exchange Fed. R. Civ. P. 26(a)(3) pretrial disclosures. Within fourteen (14) days thereafter, a party shall file and exchange Fed. R. Civ. P. 26(a)(3) objections to use of a deposition designated by another party and any deposition counter-designations under Fed. R. Civ. P. 32(a)(4).
6. Motions in limine must be filed at least one week prior to the date of trial.
7. Parties shall furnish the Court pretrial briefs seven (7) days prior to the date set for jury selection (Local Civil Rule 26.05). Attorneys shall meet at least seven (7) days prior to the date set for submission of pretrial briefs for the purpose of exchanging and marking exhibits. See Local Civil Rule 26.07.
8. This case is subject to being call for jury selection and trial on or after **April 4, 2016**.

s/ Terry L. Wooten
TERRY L. WOOTEN
Chief United States District Judge

November 12, 2015
Columbia, South Carolina

² ADR Statement and Certification form is available at www.scd.uscourts.gov.